

UNITED STATES DISTRICT COURT
for the

Western District of Virginia

OCT 18 2011
JULIA C DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

United States of America)	
v.)	
JARED JAMILE FITZGERALD)	Case No: 4:10CR00006-1
)	USM No: 14532-084
Date of Previous Judgment: 02/25/2011 <i>(Use Date of Last Amended Judgment if Applicable)</i>)	Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (*Prior to Any Departures*)

Previous Offense Level:	Amended Offense Level:
Criminal History Category:	Criminal History Category:
Previous Guideline Range: _____ to _____ months	Amended Guideline Range: _____ to _____ months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- Other (*explain*): _____

III. ADDITIONAL COMMENTS

Defendant was originally sentenced under the provisions of Amendment 750. Additionally, Defendant's request for the appointment of counsel is DENIED.

Except as provided above, all provisions of the judgment dated 02/25/2011 shall remain in effect.

IT IS SO ORDERED.

Order Date: 10-18-11

Effective Date: _____
(if different from order date)

Jackson L. Tisi
Judge's signature

Senior United States District Judge

Printed name and title